

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

MISTY BLANCHETTE PORTER, M.D.,

Plaintiff,

vs.

DARTMOUTH-HITCHCOCK MEDICAL
CENTER, DARTMOUTH-HITCHCOCK
CLINIC, MARY HITCHCOCK
MEMORIAL HOSPITAL, and
DARTMOUTH-HITCHCOCK HEALTH,

Defendants.

Case No. 2:17-cv-194

DEFENDANTS' MOTION *IN LIMINE* TO PRECLUDE THE TESTIMONY OF ROBERT BANCROFT

Defendants Dartmouth-Hitchcock Medical Center, Dartmouth-Hitchcock Clinic, Mary Hitchcock Memorial Hospital, and Dartmouth-Hitchcock Health (collectively, “Defendants” or “Dartmouth Health”) hereby move (the “Motion”), pursuant to Fed. R. Evid. 702 and the Order issued by this Honorable Court on January 13, 2025, at ECF Docket No. 194, to preclude the expert witness testimony of Robert Bancroft (“Bancroft”). The grounds for Defendants’ Motion are fully set forth in the accompanying memorandum of law. In brief, the exclusion of Bancroft’s testimony is appropriate because he is unqualified to be an expert in the instant case, and his opinions are unreliable.

Pursuant to Local Rule 7(a)(7), Defendants hereby certify that they have made a good faith attempt to obtain Plaintiff’s agreement to the requested relief, and such agreement was not obtained. Defendants hereby request an evidentiary hearing on this Motion pursuant to Fed. R. Evid. 702, Local Rule 7(a)(6), and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993).

Date: February 14, 2025

Respectfully submitted,

/s/ Tris J. Coffin

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CERTIFICATE OF SERVICE

I hereby certify that, on February 14, 2025, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Tris J. Coffin

Tristram J. Coffin